

COMMISSIONERS APPROVAL

CHILCOTT *ag*

THOMPSON *at*

LYONS

PLETTENBERG

Members PresentCommissioner Chilcott,
Commissioner Thompson and Commissioner Lyons

Date.....April 25, 2007

Minutes: Beth Farwell

The Board met with Craig Osterman of Treasure State Alliance to discuss the roadless issue. Craig presented the Board with an outline and explained in detail his goal of having the Commissioners review this petition and give him input for 'flexible management' on the land (roadless issues). Commissioner Thompson commented he was disappointed the Governor had not submitted the comments to the President by the January 1st deadline. The Board held public meetings and took public comment on the proposal from our county. Commissioner Thompson commented that it was frustrating to prepare and have nothing done with it. Craig stated this is an opportunity that all Montanans should take. The Board concurred they will prepare the petition and send it to Craig.

Minutes: Glenda Wiles

The Board met with Wes Miles and numerous other residents of the Mill Creek Road area. Wes stated the residents still have numerous concerns of the environmental issues that are occurring due to the log yard and trailers that have families in them with no septic connection. Also present was Interim Environmental Health Director Morgan Farrell and Planning Director Karen Hughes.

Wes stated the previous logging operation left but another logging operator came in. This second logging operation is actually larger than the first one.

Morgan stated he visited with the Owners of the property, the Olson's. Morgan noted they have two self contained mobile homes that are being lived in and another mobile home is vacant. He noted there are no septic systems. The Olson's said they are taking the mobile home sewage waste to a recreational dump site. Morgan also noted there are junk vehicles on the property.

Morgan stated in his opinion, by having these two mobile homes present and being lived in, they are breaking the trailer park rule. Morgan stated he is more than willing to address this issue but wanted to wait until today's meeting.

Resident Jim Augustine stated these issues have been going on for five years. One person overdosed in the bus and another person died of asphyxiation in the bus. The Olson's dismantle cars, utilizing the parts for other cars, selling them and then they have the junk vehicle program pay to haul the junk cars away. He stated the Olson's are making money off of this venture that is being paid for by the tax payers. Jim stated the previous Environmental Health Director made several site visits and sent them a letter, but 'nice letters' do not work. Mr. Olson ignores the letters, and it is time for the county to do something. Jim stated Mr. Olson placed hay bales around one of the trailers and the bales caught on fire. Over the past two years several people have moved in and out of these trailers. They also have an outhouse. They have a dog that has been on a chain for five years. The people that live in the shed take care of the dog.

Rick Vaughn stated he lives right across the road from the lumber yard and trailers. He sees people living in the shed every day. The one travel trailer has not been moved in the past 8 months, so how are they dumping?

Morgan felt the two mobiles must be moved out or approved for a mobile home park, and the debris and junk cars should also be removed. He will also look into the restrictions for hauling junk cars and ascertain if this 'business' of repairing vehicles is illegal.

Karen stated she is not aware of the number of residents on this property. She indicated the planning staff worked on a voluntary zoning district in the past.

Commissioner Chilcott asked Morgan if he walked the property. Morgan stated he did not. Commissioner Chilcott stated it would be interesting to see where the waste is going. A neighbor, Rick stated at 0300 hours one morning he smelled raw sewerage in his creek right out his front door. He talked to Mr. Olson and Mr. Olson stated nothing like this would ever happen again. Morgan reiterated these mobiles must be moved because of the trailer park rule.

Commissioner Thompson stated no more vehicles should be removed by the junk vehicle program. Morgan stated he is waiting for DEQ to contact him on this issue. He suggested they get rid of what is there first, then not take anymore.

Commissioner Chilcott stated the Board of Health heard this issue in October 2006 and it was something they wanted to be involved in.

Commissioner Thompson stated if history shows they have hauled many vehicles out from this property on the junk vehicle program, then the county is not going to do any more. Commissioner Chilcott agrees with Commissioner Thompson as this is a commercial enterprise and the tax payers should not subsidize it. It was noted as early as

July 2005; Theresa Blazicevich stated this appears to be a motor vehicle recycling yard according to DEQ rules.

Wes stated the neighboring residents have been to see the Commissioners several times in the past three years. He stated these are important and significant issues, and it is important to look at the whole picture. That being, people shower outside, there is noise late at night, stereos playing; they can hear their arguments, dust, equipment noise everyday which is early and late into the day. Wes stated Mr. Olson is one person who is affecting all of these neighbors. This meets the public nuisance requirements and the county needs to move forward and get this resolved as Mr. Olson continues to ignore and push these issues to the limit. Wes asked the Board to please address this whole issue. If Morgan has been invited onto the property, he needs to look at everything. If people are living there and there are no septic, where is the waste going?

Morgan stated if the trailers were moved out there would be no people living there and no sanitation issue.

Commissioner Chilcott stated there are some limits to 'making someone into a good neighbor'. But if the Board can address these issues under the law, they will. He also noted the Board might not be able to stop the log sorting operation, but they can certainly address the sanitation issues for the workers.

Commissioner Lyons stated he worked for a concrete company and they could only work between 8-5. He stated he will check into that.

Alex stated there are some other statutes for disorderly conduct etc., but it will be up to the Sheriff if he wants to get into that. In regard to the public nuisance statute, it is difficult to work with and not a very good tool. If there are other issues, such as people showering outside, he can look at indecent exposure. Alex stated the Sheriff can work quicker with 'higher penalties' than the Commissioners, which might be better if the Sheriff has jurisdiction.

Morgan stated he can address some of the issues such as the trailers, and he can talk to them about the other issues as well.

Wes asked the Commissioners what the best way to handle this communication was, as they do not want to come back again in six months and address the same issue again. Morgan suggested he be the liaison between the residents and Civil Counsel Alex Beal. Alex agreed to review the file and work with Morgan on this issue.

Commissioner Thompson asked Morgan to check how many vehicles have been taken from that location as he does not want any more vehicles being removed at the taxpayer's expense. Jim stated he also has tires, engines, windshields etc., lying around, as it is not just the abandoned cars.

Alex will review the public nuisance statutes and talk with the Sheriff. Morgan will address the trailers and junk vehicles.

Dedre Johnson stated she is living in an air stream trailer and is building a house. She is using Larry's (Olson's) power and dumps her waste into a rolling holding tank that is suppose to be dumped at the RV dump site. By the end of the summer she will be in her house. Wes and Jim indicated they are not referring to her property or her trailer.